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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

LINDERS et al.

SERIAL NO.: 10/522,094

FILING DATE: January 24, 2005

TITLE: CLUBROOT RESISTANT BRASSICA
OLERACEA PLANTS

GROUP ART UNIT: 1638

EXAMINER: ROBINSON, Keith O'Neal

CONFIRMATION NO.: 9236

ATTORNEY DOCKET NO.: 70059USPCT

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR §1.56, Applicants wish to call the Examiner's attention to the reference cited on the attached Form PTO-1449. The item listed on the enclosed Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. A copy of the reference listed on the attached Form PTO-1449 is enclosed herewith.

The submission of this reference is made solely for the purpose of complying with Applicant's duty of disclosure, and is not intended as a surrender of patentable subject matter nor is it intended to create prosecution history estoppel.

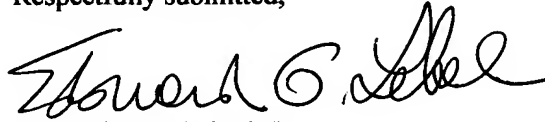
Identification of the listed reference is not to be construed an admission of Applicants or Agents for Applicants that such reference is available as "prior art" against the subject application.

Applicants respectfully request that the Examiner review the foregoing reference and that the reference be made of record in the file history of the application.

The Examiner is requested to consider the foregoing information in relation to this application and to indicate that each reference was considered by returning a copy of the initialed Form PTO-1449.

In accordance with 37 CFR §1.97(b)(3), no fee is believed to be required for consideration of this statement because it is being submitted before the mailing date of a first Office Action on the merits. However, the Commissioner is authorized to charge any fee under 37 C.F.R. §1.17 that may be required, to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Respectfully submitted,



Edouard G. Lebel, Ph.D.

Agent for Applicants

Registration No 43,742

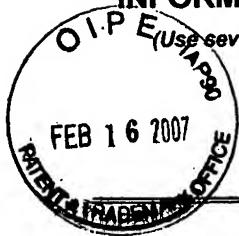
Telephone No.: 919-765-5117

Syngenta Biotechnology, Inc.
3054 East Cornwallis Road
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Date: February 14, 2007

FORM PTO-1449
(REV. 7-85)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
70059USPCT
APPLICATION NO.
10/522,094
APPLICANT
LINDERS et al.
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9236
Group Art Unit
1638**INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	A						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	<u>TRANSLATION</u>	
							YES	NO
	B							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	C	Yasuhisa Kuginuki et al., "RAPD markers linked to a clubroot-resistance locus in <i>Brassica rapa</i> L.," <i>Euphytica</i> 98: pp. 149-154, 1997.						

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.



Attorney Docket No. 70059USPCT
U.S. Serial No. 10/522,094

FILING BY "FIRST CLASS MAIL" UNDER 37 C.F.R. § 1.8

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 14, 2007.

- 1) Third Supplemental Information Disclosure Statement (2 pages total)
- 2) FORM PTO-1449 (1 sheet)
- 3) Cited Reference C: Yasuhisa Kuginuki et al., "RAPD markers linked to a clubroot-resistance locus in *Brassica rapa* L.," *Euphytica* 98: pp. 149-154, 1997.
- 4) Return Postcard

Melissa Hardy

Name

Signature